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Conference of the States Parties to the United Nations Convention against Corruption

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Implementation Review Group
Ninth session
Vienna, 4–6 June 2018

Annotated provisional agenda

Provisional agenda

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   (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
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4. Technical assistance.
5. Financial and budgetary matters.
6. Other matters.
7. Provisional agenda for the tenth session of the Implementation Review Group.
8. Adoption of the report of the Implementation Review Group on its ninth session.

Annotations

1. Organizational matters

(a) Opening of the session

The ninth session of the Implementation Review Group will be opened on Monday, 4 June 2018, at 10 a.m., in the Vienna International Centre, M-Building, M-Plenary Room.

(b) Adoption of the agenda and organization of work

The provisional agenda for the ninth session of the Group was prepared in accordance with resolution 3/1, entitled "Review mechanism", adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its third session, decision 5/1, entitled "Mechanism for the Review of Implementation of the United Nations Convention against Corruption", adopted by the Conference at its fifth session, and resolution 6/1, entitled "Continuation of the review of

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implementation of the United Nations Convention against Corruption", adopted by the Conference at its sixth session.

The proposed organization of work (see annex) was prepared in line with the guidance provided by the Conference and by the Implementation Review Group, in particular the multi-year workplan for the analytical work of the Group, covering the period 2017–2019 (CAC/COSP/IRG/2016/9/Add.1, annex I). In accordance with the multi-year workplan, the main topic of the analytical work of the Group during its regular ninth session will be the analysis of information on successes, good practices, challenges, observations and technical assistance needs emanating from the country reviews of chapter V (Asset recovery) of the Convention.

2. Review of implementation of the United Nations Convention against Corruption

Drawing of lots

In its resolution 6/1, the Conference of the States Parties requested the Group to proceed, at the beginning of its seventh session, to the selection of reviewed and reviewing States parties for the second review cycle by the drawing of lots in accordance with paragraphs 14 and 19 of the terms of reference of the Mechanism. The Conference also requested the Group to hold intersessional meetings open to all States parties for the purpose of the drawing of lots in accordance with paragraph 19 of the terms of reference of the Mechanism and without prejudice to the right of a State party to request that the drawing of lots be repeated at the Group's subsequent intersessional meeting or regular session.

Moreover, at its first session, the Implementation Review Group decided that States ratifying or acceding to the Convention after the drawing of lots at the first session of the Group would be reviewed starting in the fourth year of the first review cycle. In its resolution 4/1, the Conference endorsed the practice followed by the Group with regard to the procedural issues arising from the drawing of lots.

In accordance with Conference resolution 6/1, an intersessional meeting open to all States parties for the purpose of the drawing of lots will be convened on Friday, 1 June 2018, in the Vienna International Centre, C-Building, Boardroom D, from 2 to 6 p.m. During the intersessional meeting, lots will be drawn for the selection of the reviewing States parties for the third year of the second review cycle, in accordance with paragraph 19 of the terms of reference of the Mechanism. In addition, lots will be drawn to select the reviewing States parties for the first cycle reviews of any States parties that have become parties to the Convention since the previous drawing of lots, held at the resumed eighth session of the Implementation Review Group.[1] Lots may also be drawn to select the reviewing States parties for any States parties requesting redraws.

The intersessional meeting is being convened without prejudice to the exercise of the rights of States parties in accordance with the terms of reference of the Mechanism during the ninth session of the Group, and is aimed at enabling the Group to focus on substantive issues during its ninth session. To this end, the Group will be informed of the outcome of the intersessional meeting, and agenda item 2 (on the review of implementation of the Convention) will remain open until the last day of its ninth session.

Trilateral meetings

Under the agenda item and in line with past practice, the secretariat has made arrangements for the scheduling of trilateral meetings among States parties under review and reviewing States parties on the margins of the session. The scheduling of such meetings takes into account the views expressed by the Group on the usefulness

[1] Since the resumed eighth session of the Group, no additional States have ratified or acceded to the Convention. However, States may do so prior to the intersessional meeting to be held on 1 June 2018.

of holding trilateral meetings for advancing the review of implementation in order to achieve progress and discuss outstanding issues in individual country reviews.

Progress update

The secretariat will provid an oral update on progress made in the conduct of the reviews in the first and second review cycles. The update will focus on the responses received to the self-assessment checklist, the direct dialogues conducted, the executive summaries and country review reports that have been finalized and the country review reports that have been made available on the website of the United Nations Office on Drugs and Crime.

First review cycle

The secretariat will provide information concerning the update of the set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention (see CAC/COSP/2017/5), which were before the Conference at its seventh session and before the Group at its resumed eighth session.

Second review cycle

In accordance with the multi-year workplan for the analytical work of the Group, the ninth session of the Group is to focus on analysing the successes, good practices, challenges, observations and technical assistance needs emanating from the country reviews of chapter V (Asset recovery) of the Convention.

To that end and to facilitate the Group's discussion, a panel will be convened focusing on challenges, good practices and lessons learned by States parties in the implementation of chapter V of the Convention. In that regard, the taking of measures as may be necessary to permit other States parties to initiate civil action in court to establish title to or ownership of property acquired through the commission of an offence established in accordance with the Convention has been identified as a topic for more in-depth discussions during the ninth session.

Documentation

Note by the Secretariat on progress in the implementation of the mandates of the Implementation Review Group (CAC/COSP/IRG/2018/3)

Implementation of chapter V (Asset recovery) of the United Nations Convention against Corruption: thematic report prepared by the Secretariat (CAC/COSP/IRG/2018/5)

Implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption: thematic report prepared by the Secretariat (CAC/COSP/IRG/2018/6)

Note by the Secretariat on the follow-up to the St. Petersburg Statement transmitting the report of the international expert group meeting on beneficial ownership transparency, held in Vienna on 3 and 4 October 2017 (CAC/COSP/IRG/2018/7)

Executive summary of country review reports (CAC/COSP/IRG/I/4/1/Add.61)

Executive summaries of country review reports (CAC/COSP/IRG/II/1/1/Add.3, CAC/COSP/IRG/II/1/1/Add.4, CAC/COSP/IRG/II/1/1/Add.5 and CAC/COSP/IRG/II/1/1/Add.6)

3. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

Progress report

In its decision 5/1, the Conference of the States Parties decided that the Group should include a new item on the agenda of its future sessions allowing for discussion of relevant information, collected with the support of the Secretariat, in order to facilitate the assessment of the performance of the Review Mechanism and its terms of

reference, in accordance with paragraph 48 of the terms of reference, following the completion of the first review cycle.

The Secretariat has compiled and analysed information relating to the overall performance of the Mechanism during the second review cycle. Particular emphasis has been placed on analysing recurring delays in the first and second year of the second cycle, in a bid to bring them to the attention of the Group. A comparison between the length of time required for the completion of the different steps of the review process in the first two years of the first cycle and the first two years of the second cycle has also been prepared to facilitate the Group's discussion.

Synergies with the secretariats of other relevant multilateral mechanisms

In its resolution 6/1, the Conference called upon the Secretariat to continue exploring and, where appropriate, enhancing synergies, in coordination and cooperation with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption. Subsequently, in its resolution 7/4, the Conference requested the Secretariat to continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms. A report on work undertaken in that regard will be circulated to the Group in a conference room paper (CAC/COSP/IRG/2018/CRP.1). In addition, the secretariats of other relevant multilateral mechanisms will be invited to report on their activities.

Documentation

Note by the Secretariat on performance of the Implementation Review Mechanism (CAC/COSP/IRG/2018/2)

4. Technical assistance

In its resolution 3/1, the Conference of the States Parties decided that the Implementation Review Group would be in charge of following up and continuing the work undertaken previously by the Open-ended Intergovernmental Working Group on Technical Assistance.

Paragraph 44 of the terms of reference states that the functions of the Implementation Review Group are to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

In its resolution 4/1, the Conference took into account that, pursuant to paragraph 11 of the terms of reference, one of the goals of the Review Mechanism was to help States parties to identify and substantiate specific needs for technical assistance and to promote and facilitate the provision of technical assistance.

In the same resolution, the Conference recognized the continuing and valuable role of technical assistance within the Review Mechanism, as well as the importance of country-led and country-based integrated and coordinated programming and delivery of technical assistance as an effective means of addressing technical assistance needs of States parties. Also in that resolution, the Conference requested the secretariat to continue to develop a three-tiered approach — global, regional and national — to the delivery of technical assistance in the light of the priority areas identified as a result of the review process.

In its resolution 6/1, the Conference underscored the importance of addressing the technical assistance priorities identified in the country reviews, and invited technical assistance providers to consider those priorities either for new technical assistance programmes or for incorporation into ongoing programmes.

At the ninth session of the Group, the secretariat will provide an oral update on technical assistance needs identified through the individual country reviews that have been finalized in the second cycle, as well as on new trends identified in the first cycle since the eighth session of the Group, and on the technical assistance provided. In line

with the thematic focus of the ninth session of the Group, the update will concentrate in particular on technical assistance needs and technical assistance provided in relation to the implementation of chapter V of the Convention.

A panel on technical assistance in relation to articles pertaining to chapter V of the Convention will be organized in order to facilitate the Group's discussion of the matter.

Agenda item 4 will be discussed together with item 5, "Forum for discussions on capacity-building and technical assistance", of the agenda of the twelfth meeting of the Open-ended Intergovernmental Working Group on Asset Recovery at a joint meeting of the Implementation Review Group and the Working Group.

Documentation

Note by the Secretariat on technical assistance in support of the implementation of the United Nations Convention against Corruption, including analysis of technical assistance needs emerging from the country reviews (CAC/COSP/IRG/2018/CRP.2)

5. Financial and budgetary matters

In its resolution 3/1, the Conference underlined that the Review Mechanism would require a budget that ensured its efficient, continued and impartial functioning. Pursuant to that resolution, the General Assembly, in its resolution 64/237, requested the Secretary-General to ensure that the Mechanism was adequately funded.

In its resolution 4/1, the Conference decided that the Implementation Review Group should assist it in the fulfilment of its responsibility to consider the budget biennially by engaging with the Secretariat during the intersessional period with regard to expenditures and projected costs related to the Review Mechanism.

At its ninth session, the Implementation Review Group will have before it a note by the Secretariat (CAC/COSP/IRG/2018/4) containing budgetary information on expenditures incurred so far for the operation of the Review Mechanism, resources received at the time of writing, both from the regular budget and from voluntary contributions, projected expenditures for the first and second cycles, effects of cost-saving measures and the current shortfall on resource requirements for the functioning of the Mechanism.

Documentation

Note by the Secretariat on financial and budgetary matters (CAC/COSP/IRG/2018/4)

6. Other matters

The Implementation Review Group may wish to discuss any other matters.

7. Provisional agenda for the tenth session of the Implementation Review Group

The Implementation Review Group is to consider and approve, at its ninth session, a provisional agenda for its tenth session, which will be drafted by the secretariat in consultation with the Chair.

8. Adoption of the report of the Implementation Review Group on its ninth session

The Implementation Review Group is to adopt a report on its ninth session, the draft of which will be prepared by the secretariat.

Annex

Proposed organization of work

Date and time	*Item*	*Title or description*
Monday, 4 June 2018		
10 a.m.–1 p.m.	1 (a)	Opening of the session
	1 (b)	Adoption of the agenda and organization of work
	3	Performance of the Mechanism for the Review of Implementation of the Convention
3–6 p.m.	3	Performance of the Mechanism for the Review of Implementation of the Convention (*continued*)
	2	Review of implementation of the United Nations Convention against Corruption
Tuesday, 5 June 2018		
10 a.m.–1 p.m.	2	Review of implementation of the Convention (*continued*)
3–6 p.m.	5	Financial and budgetary matters
	6	Other matters
	7	Provisional agenda for the tenth session of the Implementation Review Group
Wednesday, 6 June 2018		
10.30 a.m.–1 p.m.	4	Technical assistance[a]
3–5.30 p.m.	4	Technical assistance (*continued*)
5.30–6 p.m.	8	Adoption of the report of the Implementation Review Group on its ninth session

[a] Agenda item 4 will be discussed together with item 5, "Forum for discussions on capacity-building and technical assistance", of the agenda of the twelfth meeting of the Open-ended Intergovernmental Working Group on Asset Recovery at a joint meeting of the Implementation Review Group and the Working Group.

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